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SUBJECT: Bringing Order to the Border: The Niagara Triangle Integrated Border Enforcement Team

REF: (A) State 163356 (B) Toronto 2451
(C) Toronto 2469

Sensitive but Unclassified - Protect accordingly.

1. (SBU) SUMMARY: At a ConGen Toronto-hosted October 13, 2005, dinner meeting in Toronto, border and law enforcement officials from the Buffalo/Niagara region expressed pride in the continued effectiveness of cross-border cooperation in combating transnational crime. The guests, which also included the newly appointed Consul General in Buffalo, Steven Brereton, and ConGen Toronto section chiefs exchanged ideas and updated each other on:

--the challenges presented by the Western Hemisphere Travel Initiative;

--ongoing negotiations to establish co-located preclearance facilities at Fort Erie and Alexandria Bay, NY;

--recent success of Project Shiprider in the Detroit/Windsor region;

--shortcomings associated with the NEXUS, FAST and C-TPAT programs;

--gun smuggling problems;

--the expansion of the Child Exploitation Tracking System (CETS) computer program;

--the importance of public diplomacy in the group's work;

--the status of the new law enforcement hub at the Consulate Annex; and

--upcoming meetings of interest to law enforcement, e.g., Project North Star October 26 and 27 and the 2006 FBI National Academy Associates Annual Training Conference in Toronto July 14-19, 2005. END SUMMARY.

2. (U) On October 13, 2005, the Consul General hosted a dinner at the residence in honor of the Niagara Triangle Integrated Border Enforcement Team (IBET) from New York and Ontario, leading provincial Canadian law enforcement officials and ConGen Toronto Pol/Econ, PA and CA section heads. The purpose of the gathering was to review and enhance areas of bi-lateral and inter-agency cooperation and to introduce the newly-appointed Canadian Consul General to Buffalo, Steven Brereton. (NOTE: Participants list is at para 15 and bio for Brereton, a career Foreign Service officer with a distinguished trade background, is at para 16. END NOTE)

3. (U) After welcoming the guests, introducing members of the ConGen Toronto staff, including several new members of the ConGen Toronto law enforcement team, and giving an overview of the respective work mandates, the Consul General expressed her appreciation for IBET's work and the successful model the team had established for emulations elsewhere. She emphasized the importance of unimpeded law-enforcement-to-law-enforcement communications and pledged her Consulate's support to this end, as did Canadian Consul General Brereton. All present agreed the accomplishments of cross-border law enforcement cooperation, including the IBET team, were something to be proud of. (Note: Operational matters are not covered in this message, which was cleared by ConGen Toronto law enforcement officers. End Note.)

The Western Hemispheric Travel Initiative (WHTI)

4. (SBU) The American side explained the U.S. position on WHTI, drawing on the points from ref (A). Canadian Consul General Brereton emphasized the shared objective of ensuring a secure border through such initiatives as the IBETs. However, the WHTI as drafted posed serious

risks to communities along the northern border, such as in the Niagara region, where cross border travel was essential to their economic well-being. Appreciation for this environment would help in shaping the requirement and, to this end, several events are being planned, to help raise awareness of the potential impact of the WHTI on northern border communities. Principals of affordability and timely accessibility should guide the development of any new documentary requirement in order to minimize the impact on legitimate travel and border (NOTE: Canadian Ambassador Frank McKenna's September 26 statement to the Canadian Chamber of Commerce at Prince Edward Island that the WHTI could cost Canada 7.7 million visits and C\$2 billion in revenue was cited several times during the evening. END NOTE). Maurice Pilon, Deputy Commissioner, Ontario Provincial Police, believed that Premier McGuinty's and Governor Granholm's proposal for a standardized, security-enhanced drivers' license could be made acceptable to critics, to include encoded information on place of birth.

Ft Erie/Alexandria Bay Pre-Clearance Facilities

15. (SBU) Peter Smith, Immigration and Customs Enforcement Special Agent in Charge of the Office of Investigations in Williamsville, NY, described the ongoing bilateral discussions to establish co-located pre-clearance facilities at the Fort Erie and Alexandria Bay border crossings between Ontario and New York. Smith said there are several important issues that remain to be ironed out before U.S. border enforcement officials could be physically located on Canadian soil. Among others, U.S. officials maintained they needed to have (1) the right of first refusal; (2) the right to install monitoring equipment on vehicles entering the U.S.; (3) the right to work with someone who volunteers to cooperate in an ongoing investigation; and (4) the right for U.S. law enforcement officials to carry firearms in the preclearance area. Smith said these issues will be discussed during the next negotiating session (in Washington on October 19 and 20) to conclude a formal Canada-U.S. Land Pre-clearance Agreement as envisioned in the June 2005 Security and Prosperity Partnership Report to Leaders by the end of this year in order to further streamline the secure movement of low-risk traffic across our shared border.

Project Shiprider

16. (SBU) RCMP Assistant Commissioner J.C.M. Seguin described the successful Project Shiprider program in the Detroit-Windsor area where Canadian law enforcement officers working onboard U.S. Coast Guard vessels were sworn in as U.S. Customs officers, and U.S. law enforcement officers working onboard Canadian vessels were designated as RCMP Supernumerary Special Constables. The U.S. and Canadian law enforcement officers participating in the cross-border exchange were able to carry their weapons during the exercise, and some 160 vessels were boarded and inspected. Seguin said Project Ship Rider had the added benefit of showing the Canadians the equipment they lacked but needed to patrol effectively Canada's maritime border. As a result, he said, RCMP would be asking for additional funding to procure equipment to bring their operational capability to the level of the U.S. Coast Guard.

NEXUS, FAST and C-TPAT Programs

17. (SBU) The CG advised the group that a decision had been taken to open up C-TPAT to a limited number of Canadian manufacturers for the first time and that invitations to participate would be sent out shortly to top manufacturers and shippers from Canada. While applauding the NEXUS (for individuals) and FAST (for truckers) travel facilitation initiatives, both programs still had several limitations and bugs associated with them in terms of processing and broad applicability, e.g., the NEXUS card could not be used at all entry points and the FAST advance paper processing time penalties remained onerous.

Cross-Border Gun Smuggling

18. (SBU) Ambassador Wilkins's letter to Premier McGuinty outlining ongoing and proposed areas of cooperation had tempered unproductive rhetoric on cross-border gun smuggling accusations arising out of Toronto's spate of violent crimes in the summer, the

group agreed (refs (B) and (C)). Shared responsibility was now the expressed guiding principle for cooperation. The Consul General asked Alcohol, Tobacco and Firearm (ATF) Attache Regina Lombardo, the newest member of the U.S. Consulate Toronto law enforcement team, to review her efforts to facilitate cross-border law enforcement cooperation to combat gun smuggling. Lombardo described her work with the Provincial Weapons Enforcement Unit (PWEU) to trace guns stolen or used in the commission of a violent crime and advised that she would be making a joint presentation with PWEU at the upcoming North Star conference. (ICE Attache Healy and A/LegAtts Dunn and Brogan also detailed their agencies' cross-border coordination efforts and compared notes with Canadian colleagues.)

Child Exploitation Tracking System

19. (SBU) The group discussed the benefits of the Child Exploitation Tracking System (CETS) program developed by Microsoft at the behest of the Toronto Police to enable law enforcement agencies in Canada and internationally to share case information and link their efforts to identify and apprehend child pornographers. ICE attach Healy advised that the project had received Congressional funding and the computer model was being looked at for application to support law enforcement efforts in other important enforcement areas.

Media Support and Public Diplomacy

10. (U) The agenda for the evening included a short presentation by ConGen Public Affairs Officer Nick Giacobbe on Consulate efforts to support law enforcement press and public diplomacy needs. Stuart Woodside, Assistant Chief Patrol Agent, Buffalo Sector, U.S. Border Patrol, suggested the Consulate participate in the IBET spring media debut, an annual outreach event to publicize joint border enforcement efforts before the boating season begins.

Toronto's Law Enforcement Hub

11. (SBU) A/Legatt Brogan reported all of ConGen Toronto's law enforcement agents would be co-located in the Consulate annex by the end of November to improve communications and coordination among U.S. law enforcement agencies with Canadian counterparts. He reminded the group of the 2006 FBI National Academy Associates Annual Training Conference, hosted by the Toronto Police Service in Toronto from July 14-19, 2006. Peter J. Ahearn, Special Agent In Charge, Buffalo Division, advised that his office was coordinating the event and would ensure that country clearance procedures were observed.

Upcoming Law Enforcement Events

12. (U) The group noted the following special events that would be of interest to those attending:

--Project North Star Region Coordination Group East Meeting in Kingston, Ontario October 26-27;
--WHTI Town Hall meeting in Buffalo October 28;
--Spring IBET media debut probably at the Youngstown, NY Coast Guard base; and
--2006 FBI National Academy Associates Annual Training Conference in Toronto July 14-19, 2005.

Award Ceremony

13. (U) At the conclusion of the evening, the Consul General presented a State Department Certificate of Appreciation signed by the Ambassador to ICE attach Craig Healy for his multiple actions of support to American citizens ranging from expert handling of the Consulate's duty calls, to assistance rendered to families of the U.S. citizens in the August Air France plane crash, to a call for help from a Hurricane Katrina family that had relocated to Windsor, Ontario.

14. COMMENT: As one of the guests commented, IBET is more than just a concept, it is a model of success for law enforcement border management. If the evening's discussion were any guide, we could not ask for better communication and cooperation among and between agencies on both sides of the border. END COMMENT.

15. (U) IBET Dinner Attendees included:

Canadian Consulate and Law Enforcement: Steve Brereton, Canadian Consul General to Buffalo; Maurice Pilon, Deputy Commissioner, Ontario Provincial Police; J.D.M. (Michel) Seguin, Assistant Commissioner, Commanding Officer, "O" Division, RCMP; Graham Noseworthy, CBSA Director General, Fort Erie and Niagara Region; Paul Weaver, CBSA Director, Intelligence and Contraband Section, Fort Erie Division.

U.S. Law Enforcement: Peter J. Ahearn, Special Agent In Charge, Buffalo Division, FBI; Assistant Special Agent Doug Riggins; Stuart Woodside, Assistant Chief Patrol Agent, Buffalo Sector, U.S. Border Patrol; Peter J. Smith, Special Agent in Charge, Office of Investigations, Immigration and Customs Enforcement.

U.S. Consulate General Toronto: Jessica LeCroy, Consul General; A/Legatts Matthew Dunn and Michael Brogan; Craig Healy, Immigration and Customs Enforcement Attache; Regina Lombardo, ATF Attache; Mike Schimmel, Acting Consular Chief and Deputy Consul General; Sherri Holliday-Sklar, POL/ECON Chief; and Nick Giacobbe, Public Affairs Officer.

16. (U) Biography of Canada's new Consul General in Buffalo follows:

A career diplomat with a distinguished background in international trade policy has been appointed Consul General for Canada in Buffalo. Stephen Brereton, whose past foreign assignments for Canada's Department of Foreign Affairs include postings in Brussels, Tokyo and Havana, took up his position in Buffalo effective August 29, 2005. Brereton joined the Canadian Foreign Service in 1979 following graduation from Queens University with an Honours BA in Economics. A native of Toronto, Mr. Brereton is joined in Buffalo by his wife Carolyn and their two sons.

Mr. Brereton's appointment as Consul General follows extensive periods of service at the departmental headquarters in Ottawa where as Director of the Investment Trade Policy Division from 1999-2005 he negotiated Canada's rights and obligations under the North American Free Trade Agreement (NAFTA) and World Trade Organization (WTO) Agreements with respect to investment, competition/antitrust policy, corporate social responsibility, government procurement and monopolies and state enterprises. Specific expertise with regard to NAFTA's investment chapter led to responsibility for policy oversight of investor-state litigation cases. As Director of the Trade Controls Policy Division at the Department of Foreign Affairs and International Trade in the mid-90's, Brereton was charged with the administration and enforcement of trade quota regimes governing textiles and agricultural products. In earlier positions at headquarters he served as Departmental Assistant to the Minister of Industry and International Trade, Deputy Director of the Tariffs and Market Access Division, Trade Policy Officer within the GATT (General Agreement on Tariffs and Trade) Division.

Mr. Brereton's foreign service career has included assignments as the Trade Policy Counselor at the Canadian Mission to the European Union based in Brussels (1992-96) and diplomatic responsibilities the Canadian Embassies in Tokyo Japan (1984-87) and Havana, Cuba (1980-82) as well as the Foreign Service Institute in Yokohama, Japan (1982-84).

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